



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

VICTOR M. MARKOWITZ, et al.

Serial No. 10/090,144

Filed: March 5, 2002

For: SYSTEM AND METHOD FOR
MANAGING GENE EXPRESSION
DATA

Art Unit: 2857

Examiner: Not yet assigned

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Respectfully submitted,

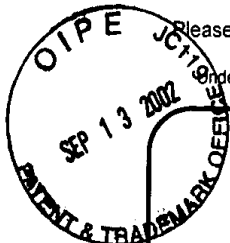
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Our Docket: 43413-276314 (4009US)

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2857



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PTO/SB/21 (08-00)

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TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>	Application Number	10/090,144	
	Filing Date	March 5, 2002	
	First Named Inventor	VICTOR M. MARKOWITZ, et al.	
	Group Art Unit	2857	
	Examiner Name	Not yet assigned	
Total Number of Pages in This Submission	196	Attorney Docket Number	43413-276314 (4009US)

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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Eleanor M. Musick Reg. No. 35,623 Kilpatrick Stockton LLP
Signature	
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Substitute for Form 449/A/PTC

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Sheet	1	of	2
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Complete if Known

Application Number	10/090,144
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First Named Inventor	VICTOR M. MARKOWITZ, et al.
Group Art Unit	2857
Examiner Name	Not yet assigned
Attorney Docket Number	43413-276314 (4009US)

U.S. PATENT DOCUMENTS

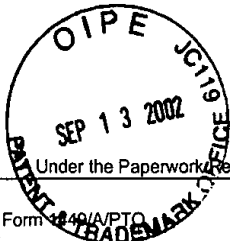
Examiner Initials	Cite No. ¹	U.S. Patent Document		Name of Patentee or Applicant of Cited Document	Date of Publication of Cited Document MM-DD-YYYY	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number	Kind Code ² (if known)			
		5,495,606	A1	BORDEN, et al.	02/27/1996	TECH CENTER 1609/2901 SEP 19 2002
		5,569,580	A1	YOUNG	10/29/1996	
		5,589,337	A1	FARR	12/31/1996	
		5,634,053	A1	NOBLE, et al.	05/27/1997	
		5,692,107	A1	SIMOUDIS, et al.	11/25/1997	
		5,702,915	A1	MIYAMOTO	12/30/1997	
		5,736,354	A1	FIELDEN, et al.	04/07/1998	
		5,769,074	A1	BARNHILL, et al.	06/23/1998	
		5,787,425	A1	BIGUS	07/28/1998	
		5,811,231	A1	FARR, et al.	09/22/1998	
		5,835,755	A1	STELLWAGEN, JR.	11/10/1998	
		5,873,083	A1	JONES, et al.	02/16/1999	
		5,933,818	A1	KASRAVI, et al.	08/03/1999	
		6,109,776	A1	HAAS	08/29/2000	
		6,128,608	A1	BARNHILL	10/03/2000	
		6,160,105	A1	CUNNINGHAM, et al.	12/12/2000	
		6,308,170	B1	BALABAN	10/23/2001	
		6,427,141	B1	BARNHILL	07/30/2002	

FOREIGN PATENT DOCUMENTS

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¹Unique citation designation number. ²See attached Kinds of U.S. Patent Documents. ³Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). ⁴For Japanese patent document, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. ⁵Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. ⁶Applicant is to place a check mark here if English language translation is attached.



Substitute for Form 1449/PTO		Complete if Known	
		Application Number	10/090,144
INFORMATION DISCLOSURE STATEMENT BY APPLICANT (use as many sheets as necessary)		Filing Date	March 5, 2002
		First Named Inventor	VICTOR M. MARKOWITZ, et al.
		Group Art Unit	2857
		Examiner Name	Not yet assigned
		Attorney Docket Number	43413-276314 (4009US)
Sheet	2	of	2

OTHER INFORMATION - NON PATENT LITERATURE DOCUMENTS			
Examiner Initials	Cite No. ¹	Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc.), date, page(s), volume-issue number(s), publisher, city and/or country where published	T ²
		BASSETT, D., JR., et al., "Gene Expression Informatics - It's All in Your Mine," Nature Genetics Supplement, vol. 21, January 1999, pp. 51-55.	
		CANFIELD, K., et al., "Mapping XML Documents into Databases: A Data-Driven Framework for Bioinformatic Data Interchange," AMIA Symposium, November 2000, pp. 121-125.	
		DUGGAN, D., et al., "Expression Profiling Using cDNA Microarrays," Nature Genetics Supplement, vol. 21, January 1999, pp. 10-14.	
		ERMOLAEVA, O., et al., "Data Management and Analysis for Gene Expression Arrays," Nature Genetics Supplement, vol. 20, September 1998, pp. 19-23.	
		REBHAN, M., et al., "GeneCards: A Novel Functional Genomics Compendium with Automated Data Mining and Query Reformulation Support," Bioinformatics, vol. 14, no. 8, 1998, pp. 656-664.	
		TARCZY-HORNOCH, P., et al., "GeneClinics: A Hybrid Text/Data Electronic Publishing Model Using XML Applied to Clinical Genetic Testing," J. Amer. Med. Inform. Assoc., vol. 7, no. 3, 2000, pp. 267-276.	

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